

FILED

AUG 30 2018

TEXAS

CLERK, U.S. DISTRICT COURT

By

Deputy

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United States District Court

NORTHERN

DISTRICT OF

UNITED STATES OF AMERICA

V.

COMPLAINT

PHILLIP CORTEZ (aka "Iceberg")

CASE NUMBER: 3-18-MJ- 591-BH

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. Beginning on or about January 1, 2017 to on or about April 1, 2017, in the Dallas Division of the Northern District of Texas, defendant(s) did,

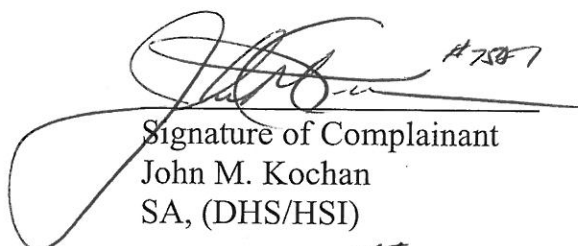
Knowingly, in an affecting interstate commerce, engage in the sex trafficking of a minor child,

in violation of Title 18, United States Code, Section(s) 1591(a) and (b)(2).

I further state that I am a(n) Special Agent with the Department of Homeland Security, Homeland Security Investigations (DHS/HSI) and that this complaint is based on the following facts:

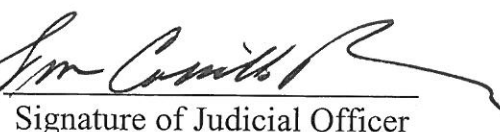
See attached Affidavit of Special Agent John M. Kochan, which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: XX Yes No

 #7587
Signature of Complainant
John M. Kochan
SA, (DHS/HSI)

Sworn to before me and subscribed in my presence, on this 30th day of August, 2018, at Dallas, Texas.

IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer


Signature of Judicial Officer

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR CRIMINAL COMPLAINT**

I, Special Agent John Kochan, hereafter identified as your Affiant the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

BACKGROUND

I am a Special Agent with the Department of Homeland Security (DHS) - Homeland Security Investigations (HSI) assigned to the Office of the Special Agent-in-Charge, Dallas, Texas. This complaint is based on the following facts gathered through my investigation conducted in coordination with the Fort Worth (Texas) Police Department's Tactical Investigations Division. Our investigation included the interviews of several victims and witnesses, investigative techniques such as administrative subpoenas and judicial search warrants, as well as reports or other information relayed to me by other law enforcement agencies including, but not limited to: the Fort Worth Police Department and the Arlington Police Department.

INTRODUCTION

1. I am currently assigned to the Human Trafficking and Human Smuggling Investigations Group, which is a member of the North Texas Trafficking Task Force (NTTTF). I have been a Special Agent with DHS since 2009, and I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly

authorized by the Attorney General to request a search warrant. I have been a federal law enforcement agent since 1998, and I am currently assigned to the DHS - North Texas Trafficking Task Force (NTTTF). I have completed the Criminal Investigator Training Program (CITP) and ICE Special Agent Training (ICESAT) program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I have also been trained and am responsible for conducting criminal investigations of alleged violations of federal law, with a focus on human trafficking.

2. As a criminal investigator for HSI, I have gained extensive training in the area of immigration law and human trafficking/human smuggling operations. I have been involved in the interviewing and debriefing of numerous defendants, informants, and witnesses and other persons who have personal knowledge of human trafficking and/or who have personal knowledge of the amassing, spending, converting, transporting, distributing, laundering, and/or concealing of the proceeds of human trafficking. I have testified in judicial proceedings and prosecutions for violations of laws concerning the trafficking of persons. I have also investigated or participated in investigations including but not limited to, human trafficking/smuggling, narcotics trafficking, transnational criminal organizations (street gangs), homicide/death investigations, and money laundering. I routinely work with other law enforcement agencies on a cooperative basis. Through these contacts, I have gained experience and knowledge in the investigation and prosecution of human traffickers and dismantling human trafficking organizations.

3. I have personally participated in this human trafficking investigation since August 20, 2017, and I have obtained the facts set forth in this affidavit through my participation in the investigation described below by conducting interviews of victims and witnesses, from oral and written reports of other law enforcement officers, and from records, documents and other evidence obtained during this investigation. I have also relied on additional information provided by other law enforcement organizations, including but not limited to: the Fort Worth Police Department and the Arlington Police Department. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation.

4. This affidavit sets forth facts and suggests reasonable inferences from those facts, establishing that there is probable cause to believe that from on or about January 1, 2017 through on or about May 1, 2017, in the Northern District of Texas, Dallas Division, and elsewhere, **Phillip CORTEZ (aka "Iceberg")**, committed the offense of Conspiracy to Engage In Child Sex Trafficking, 18 U.S.C. § 1594(c)(18 U.S.C. §§ 1591(a) and (b)(2)) as related to Jane Doe 3.

PROBABLE CAUSE

5. On August 16, 2018, your Affiant met with a 19 year old female (hereafter identified as Jane Doe 3/JD3) who reported having engaged in commercial sex acts (prostitution) at the direction of a pimp known to JD3 as **Phillip CORTEZ (aka Iceberg)** in March of 2017. Jane Doe 3 was 17 years old at the time.

INTERVIEW OF JANE DOE 3

6. On August 16, 2018, your Affiant conducted an interview of Jane Doe 3 who stated that in approximately January 2017, when she was 17 years old, she met a male known to her as “Phillip” through her 16 year old friend (identified in this investigation as Jane Doe 1/JD1). JD3 reported that at the time “Phillip” was JD1’s boyfriend/pimp and that JD1 was engaging in commercial sex acts at Phillip’s direction.

7. Your Affiant has identified “Phillip” as **Phillip CORTEZ** (aka “Iceberg”), a pimp who has engaged in a commercial sex trafficking enterprise in the following states/locations:

- Dallas, Texas
- Fort Worth, Texas
- Austin, Texas
- Galveston, Texas
- Houston, Texas
- Oklahoma City, Oklahoma

8. Your Affiant has identified Jane Doe 1/JD1 as a minor female who engaged in commercial sex acts at the direction of **Phillip CORTEZ** beginning in (approximately) November 2016 and continuing through August 2017. At the time JD1 was engaging in commercial sex acts at the direction of **CORTEZ**, JD1 was 16 years old.

9. Jane Doe 3 reported that she had engaged in commercial sex acts at the direction of **Phillip CORTEZ** for approximately 4 months and that she was 17 years old during the entire timeframe. Jane Doe 3 stated that **CORTEZ** had received all of the money that Jane Doe 3 had earned by engaging in commercial sex acts at his direction

and that **CORTEZ** had provided items such as hotel rooms, condoms and lubricants as a means of facilitating the commercial sex acts that Jane Doe 3 performed. Jane Doe 3 further stated that **CORTEZ** knew she was 17 years old because she told **CORTEZ** directly.

10. Jane Doe 3 further stated that she had observed Jane Doe 1 engaging in commercial sex acts at the direction of **Phillip CORTEZ** and that Jane Doe 1 was only 16 years old at the time. Jane Doe 3 stated that **CORTEZ** knew Jane Doe 1 was only 16 years old because she had observed Jane Doe 1 tell **CORTEZ** her correct age directly. Jane Doe 3 further stated that she had seen **CORTEZ** violently assault Jane Doe 1 on several occasions when **CORTEZ** became angry with Jane Doe 1 or if Jane Doe 1 did not follow **CORTEZ's** instructions.

BACKPAGE

11. Jane Doe 3 indicated that she had engaged in commercial sex acts at the direction of **Phillip CORTEZ** at various hotels located in the Dallas, Fort Worth, and Austin, Texas. Your Affiant has identified ads for commercial sex acts that were placed on Backpage.com under the email address iceberg09pi@gmail.com, the email address identified as belonging to **Phillip CORTEZ**. Through my training and experience, I know that Backpage.com is a website that is frequently utilized by pimps/traffickers for the purpose of placing ads for commercial sex acts as a means of obtaining commercial sex clients that will engage in sex acts with the female victims working at his direction. In reviewing the Backpage.com ads, I observed numerous ads containing photographs of

a female that your Affiant immediately recognized as Jane Doe 3 as well as other ads containing photographs of a female that your Affiant immediately recognized as Jane Doe 1. The locations included in the Backpage.com advertisements showed a location of either Dallas or South DFW. Your Affiant noted that both Jane Doe 3 and Jane Doe 1 would have been under the age of 18 at the time these Backpage.com ads were placed.

12. Your Affiant has reviewed the commercial sex ads described in paragraph 11 with Jane Doe 1 and Jane Doe 3. Both female victims identified the ads as their ads for commercial sex acts that were placed at the direction of **Phillip CORTEZ**.

HOTEL RECEIPTS

13. Through his investigation, your Affiant has obtained hotel receipts for rooms rented in the name of **Phillip CORTEZ** with locations (of hotels) in the Dallas and Fort Worth, Texas areas. Your Affiant has observed that the locations of the hotels and the dates on the receipts correspond with the dates and locations (of hotels) documented in the Backpage.com ads for commercial sex described in paragraph 11.

FACEBOOK

14. Your Affiant has identified the Facebook.com account “mrphillipcortez” as belonging to **Phillip CORTEZ**. In September 2017, your Affiant obtained the records contained within **CORTEZ**’s Facebook account via the use of Search Warrant issued by the 432nd District Court (Tarrant County, Texas) by the Honorable R. Gonzalez Jr.

15. In reviewing the Facebook account belonging to **Phillip CORTEZ**, your Affiant observed numerous text messages between **CORTEZ** and other individuals with

whom **CORTEZ** is communicating where **CORTEZ** references making alot of money by “pimping.” Messages included references to pimping girls in Houston, Galveston and Padre Island, Texas. Your Affiant observed that this corroborates events described by Jane Doe 3.

16. An example of one conversation referenced in paragraph 14 would be a Facebook Messenger conversation between **CORTEZ** and an individual who uses the Facebook Vanity Name “Kendric Dow” that took place on July 14, 2017:

DOW: “What up pimping”
CORTEZ: “Shit in Austin Pimpen”
DOW: “Lol already”
CORTEZ: “Two black Hoes and a taco (meaning Hispanic female)”
DOW: “Lawwd”
DOW: “Thought you was a rapper”
CORTEZ: “Been on da hyway for 2weeks now”
CORTEZ: “No I’m da boss”
DOW: “Where all you been”
CORTEZ: “Htown, Galveston, Padre Island”
DOW: “Got a good team”
DOW: “Pimp Gods love you”
CORTEZ: “Yea they gravey right now”
CORTEZ: “And I hope so”
CORTEZ: “I have 2 more at home”
CORTEZ: “A bad as mocca honey bitch”
CORTEZ: “I want to fuck her myself”
DOW: “Lol”
DOW: “Don’t do it”
CORTEZ: “Bet not. I got problems out the two I am”

Based on your Affiant’s training and experience, a pimp’s “team” means the girls and women engaging in commercial sex acts at his direction. In addition, pimps routinely refer to themselves as a “boss.” Based on these messages, it appears Cortez is

stating that he has a total of five girls that he is pimping at that time.


T-MOBILE RECORDS

17. In October 2017, your Affiant issued a subpoena to T-Mobile/METRO PCS requesting subscriber information for phone number (412) 923-8136, the phone number identified by Jane Doe 1 as the phone number utilized in the Backpage.com ads for commercial sex acts that were placed at the direction of **Phillip CORTEZ**. Your Affiant confirmed that the phone number (412) 923-8136 was posted in Backpage.com ad number 66996432 advertising commercial sex acts in Fort Worth, Texas. When reviewing the response from T-Mobile/METRO PCS your Affiant observed that the phone subscriber was listed as ICE BERG with an address in Fort Worth, Texas that was associated with **Phillip CORTEZ**. **CORTEZ** goes by the street name "Iceberg."

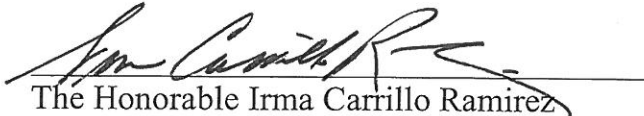
[NOTHING FURTHER ON THIS PAGE].

CONCLUSION

18. Based on the foregoing facts and circumstances, I respectfully submit that there is probable cause to believe that beginning on or about January 1, 2017 to on or about April 1, 2017, within the Dallas Division of the Northern District of Texas and elsewhere – **Phillip CORTEZ (aka “Iceberg”)** committed the offense of Child Sex Trafficking, a violation of 18 U.S.C. §§ 1591(a) and (b)(2) as related to Jane Doe 3.


John M. Kochan
Special Agent
Department of Homeland Security
Homeland Security Investigations

Subscribed and sworn before me this 30th day of August, 2018 at 3:18 p.m. hours in Dallas, Texas.


The Honorable Irma Carrillo Ramirez
United States Magistrate Judge